

## **AGENDA ITEM #13**

November 5, 2004

To: Delta Protection Commission

From: Margit Aramburu, Executive Director

Subject: Report to the Legislature on the status of review of the Land Use and Resource Management Plan (Plan), including efforts to identify changes and growth pressures within the Primary Zone, and lands within the Secondary Zone, the development of which impacts the resources of the Primary Zone.

### **Recommendation:**

- Review and discuss staff report
- Direct staff to submit report to Legislature no later than January 10, 2005 to meet the requirements of the Budget Act

### **Background:**

The Delta Protection Commission adopted the Plan in February 1995. The Commission adopted the policies of the Plan as regulations in December 2002.

When the Commission became a permanent agency in 2001, staff started the process to update the plan, starting with key topics: levees, agriculture, and recreation. Staff has sought funding from various sources to carry out needed research and analysis on these topics, but has had only limited success. One new planning program is underway; partial funding for a recreation study has been obtained through a grant from the Department of Boating and Waterways. Staff will be updating the other background reports.

### **Actions of the Delta Land Use Impacts Committee:**

In May, a new Committee convened to review the current process for monitoring and commenting on projects which would result in changes and growth pressures within the Primary Zone. The Committee reviewed the existing process for evaluating and commenting on proposed projects, and for determining which projects are reviewed by staff and which are reviewed by the Commission as a whole. The Committee reviewed a

summary of all the projects that have been monitored. A total of 601 projects were listed on the monthly Pending Projects Memo between 1993 and 2003. Of these, 431 were in the Primary Zone, 155 were in the Secondary Zone, and 14 were out of the Legal Delta. The Committee also considered and has recommended a refined monitoring process that will identify and highlight possible impacts to the resources of the Primary Zone that will result from development of lands in the Secondary Zone.

**I. Status of Review of the Land Use and Resource Management Plan (Plan):**

- The Commission held preliminary discussions regarding review of the Plan at its September meeting.
- Staff has circulated a memo announcing the start of a process to review the Plan to the Commission's approximately 350-name "Interested Party" mailing list.
- The Commission received comments and ideas from a panel of persons who were involved in preparation of the background reports and plan (1993-1995) at the November meeting.
- The Commission directed staff to proceed with workshops, research, and coordination with other agencies and organizations, and to seek funding to assist in developing updated information on the Delta land uses and resources.
- The Commission's goal is to update the eight background reports at the end of calendar year 2005. At that time, if appropriate, the Commission would undertake amendment of the Plan and California Code of Regulations.
- Background Reports include:
  - Environment
  - Utilities and Infrastructure
  - Land Use
  - Agriculture
  - Water
  - Recreation and Access (*under study by consultant; product due in May 2005*)
  - Levees
  - Marine Patrol, Boater Education, and Safety Programs (*under study by consultant; product due in May 2005*)

**II. Efforts to identify changes and growth pressures within the Primary Zone:**

- The Commission will continue to monitor individual projects proposed in the Primary Zone.
- The Commission will use the background report update process to analyze trends in land use and development in the Primary Zone.

### **III. Efforts to identify lands within the Secondary Zone, the development of which impacts the resources of the Primary Zone:**

- The Commission is currently seeking an academic partner for a CALFED Science grant to meet this responsibility

**The Commission has determined that the following will be monitored and analyzed:**

#### **Changes within the Primary Zone:**

- General Plan Amendments
- Zoning Code Amendments
- New subdivisions: number, location, acreage
- New intakes
- New outfalls/discharges
- New/enlarged parks (public)
- New public docks
- New/enlarged recreation facilities (private)
- New/modifications to roads and bridges
- New gas pipelines and gas extraction facilities
- New sewer pipelines
- New regional power lines
- Modifications to rail lines
- New/enlarged quarries
- Creation of new cities
- New/enlarged ship channels
- Enlargement of sewage treatment plants
- Creation of new reservoirs
- Habitat restoration/creation, including mitigation banks
- New/expanded ag support industry facilities

#### **Growth Pressures within the Primary Zone:**

- New/improved transportation/bridges that allow commuters to reside in Delta
- Increased commuter traffic through the Delta to avoid congestion on surrounding freeways
- Improved utility services that allow growth of Delta communities
- Improved levee stability that meets urban growth standards (FEMA)
- Availability of small lots for residential development
- Low cost of land for residential development
- New jobs creation in non-agriculture/agriculture support industries
- Low profit from traditional agricultural production
- Purchase of lands by non-agricultural interests
- Change of use of water from agriculture to urban

**Lands within the Secondary Zone, the development of which impacts the resources of the Primary Zone:**

- Lands currently in irrigated or non-irrigated agriculture that lie adjacent to the Primary Zone or adjacent to a waterway that is the boundary between the Primary and Secondary Zones
- Lands currently in ruderal state that lie adjacent to the Primary Zone or adjacent to a waterway that is the boundary between the Primary and Secondary Zones
- Lands currently used as dredge disposal area that lie adjacent to the Primary Zone or adjacent to a waterway that is the boundary between the Primary and Secondary Zones
- Lands currently in informal recreational uses that lie adjacent to the Primary Zone or adjacent to a waterway that is the boundary between the Primary and Secondary Zones
- Such lands that are developed for the following uses:
  - Residential
  - Commercial
  - Industrial
  - Utility (sewage or water treatment plant, solid waste disposal, very tall transmission tower, etc)
  - Airport
  - Reservoir
  - Recreation (golf course, park, ball fields, etc)
  - Marina
  - Roadway
  - Bridge
  - Discharge into waterway
  - Intake from waterway

*Note: Delta resources are elements of the environment not created by humans including surface and groundwater, air, land, fish and wildlife, soil, minerals (natural gas, sand), wetlands, scenic vistas, etc.*

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